

**24103. Misbranding of Granny's Cough Syrup Mentholated. U. S. v. 69 Bottles and 63 Bottles of Granny's Cough Syrup Mentholated. Default decrees of condemnation and destruction. (F. & D. nos. 34110, 34189. Sample nos. 16521-B, 16532-B.)**

These cases involved interstate shipments of a drug preparation which was misbranded because of unwarranted curative and therapeutic claims in the labeling and because it was not compounded of the ingredients which it purported to contain, and was found to contain a smaller proportion of chloroform than declared on the label.

On October 18 and October 25, 1934, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 132 bottles of Granny's Cough Syrup Mentholated, in part at West New York, N. J., and in part at Woodcliff, N. J., alleging that the article had been shipped in interstate commerce on or about November 9 and November 10, 1933, by Thompson Laboratories, Inc., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Granny's Cough Syrup, Mentholated \* \* \* each fl. oz. contains chloroform about 4 min." A portion of the article was further labeled: "Simsarian Pharmacy \* \* \* West New York, N. J." The remainder was further labeled: "The Alps Pharmacy \* \* \* Woodcliff, New Jersey."

Analysis showed that the article consisted essentially of extracts of plant drugs, potassium bromide, an ammonium compound, a chloride, a small proportion of a sulphate, chloroform (0.5 minim per fluid ounce), menthol, sugar, and water.

The article was alleged to be misbranded in that the statement on the carton label, "Compound Syrup of Flaxseed Rock Candy and Licorice Mentholated", was false and misleading, since it was not a compound syrup of flaxseed, rock candy, and licorice mentholated; in that the statement on the carton and bottle labels, "Each fl. oz. contains chloroform about 4 min.", was false and misleading, since it contained less chloroform than so stated; in that it failed to bear on the label a statement of the quantity or proportion of chloroform contained therein, since the declaration on the bottle label was inconspicuous and incorrect, and the declaration on the carton was incorrect; and in that the following statements appearing in the labeling regarding the curative or therapeutic effects of the article were false and fraudulent: (Bottle) "Directions for children, one teaspoonful every two or three hours. For adults, one dessert spoonful every two or three hours"; (carton) "For Coughs, \* \* \* and Bronchitis. \* \* \* Directions: For Children one teaspoonful every 2 or 3 hours. For adults one tablespoonful every 2 or 3 hours. \* \* \* Cough Remedy \* \* \* a sedative in affections of the throat, relieving recent and obstinate coughs by promoting expectoration."

On January 28, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

*M. L. WILSON, Acting Secretary of Agriculture.*

**24104. Adulteration and misbranding of hydrogen peroxide and Sweet's Kur-A-Kol Tablets; and misbranding of Sweet's Certified Comfrey Liniment, camphorated oil, and Sweet's Kamforina Salve. U. S. v. 19 Bottles of Hydrogen Peroxide, et al. Default decree of condemnation and destruction. (F. & D. nos. 34195 to 34199, incl. Sample nos. 16933-B to 16937-B, incl.)**

This case involved drug products which were misbranded because of unwarranted curative and therapeutic claims in the labeling. The Kur-A-Kol Tablets and Kamforina Salve were further misbranded, since the former were represented to contain acetanilid, whereas they contained no acetanilid, and the designation of the latter indicated that it was a camphor salve; whereas it contained physiologically active ingredients other than camphor. The hydrogen peroxide was adulterated, since it fell below the pharmacopoeial standard and the Kur-A-Kol Tablets were also adulterated, since the article fell below its own professed standard.

On November 2, 1934, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nineteen 4-ounce bottles of hydrogen peroxide, 11 packages of Sweet's Kur-A-Kol Tablets, 9 bottles of Sweet's Certified Comfrey Liniment, 22 bottles of camphorated oil, and 10 boxes of Sweet's Kamforina Salve at Utica, N. Y., alleging that the articles had been shipped in interstate commerce on or about May 2, 1934, by the Sweet Manufacturing Co., Inc., from Pittsburgh, Pa., and charging adultera-

tion and misbranding of the hydrogen peroxide and Kur-A-Kol Tablets and misbranding of the remaining products, in violation of the Food and Drugs Act as amended.

Analyses showed that the hydrogen peroxide contained 0.64 percent of hydrogen peroxide and that 3.7 cubic centimeters of tenth normal sodium hydroxide are required to neutralize the free acid in 25 cubic centimeters of the article; that the Kur-A-Kol Tablets consisted essentially of quinine sulphate, calcium carbonate, and starch; that the Certified Comfrey Liniment consisted essentially of alcohol (71.5 percent), water, acetone, ammonia, capsicum and volatile oils including methyl salicylate, oil of clove, camphor, and oil of sassafras; that the camphorated oil consisted essentially of camphor (18.3 percent) and cottonseed oil; and that the Kamforina Salve consisted essentially of camphor, capsicum, and volatile oils including oil of sassafras, incorporated in petrolatum.

The hydrogen peroxide was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed in strength, quality, and purity from the standard laid down in the said pharmacopoeia and its own standard of strength, quality, and purity was not stated on the label. Adulteration of the Kur-A-Kol Tablets was alleged for the reason that the strength of the article fell below the professed standard or quality under which it was sold, namely, "Each tablet contains 1 grain Acetanilid", since the article contained no acetanilid.

Misbranding of the hydrogen peroxide was alleged for the reason that the statement, "Hydrogen Peroxide Full Strength U. S. P.", was false and misleading. Misbranding of the Kur-A-Kol Tablets was alleged for the reason that the statement, "Each tablet contains 1 grain Acetanilid", was false and misleading. Misbranding of the Kamforina Salve was alleged for the reason that the designation "Kamforina Salve" was false and misleading, since the article contained physiologically active ingredients other than camphor. Misbranding was alleged with respect to all products for the reason that the following statements appearing in the labeling were statements regarding the curative or therapeutic effects of the articles, and were false and fraudulent: (Hydrogen peroxide, bottle) "For Sore Throat For Wounds, Ulcers, etc. \* \* \* Leucorrhea, Vaginitis, etc. Use a teacupful to a quart of warm water, as a douche each night. For Pimples"; (Kur-A-Kol, package) "Kur-A-Kol \* \* \* Grippe, Catarrh and Similar Afflictions \* \* \* It is also well, to take a hot foot bath and a dose of Sweet's Certified Blood Tea"; (Certified Comfrey Liniment, carton) "Muscular Rheumatism \* \* \* Backache, Stiffness \* \* \* Lumbago, Catarrh, Sore Throat, Swellings, Etc. [and similar statements in foreign languages]"; (camphorated oil, bottle) "Used \* \* \* in \* \* \* Rheumatic affection of the Joints and for chapped or sore nipples"; (carton) "Used \* \* \* in \* \* \* Rheumatic affection of the Joints, Etc."; (Kamforina Salve, carton and jar) "For Muscular Rheumatism \* \* \* Sore Throat, Stiffness \* \* \* Etc. [and similar statements in a foreign language]."

On December 27, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**24105. Adulteration and misbranding of chloroform. U. S. v. 17 Bottles of Chloroform. Default decree of condemnation and destruction.**  
(F. & D. no. 34224. Sample no. 20605-B.)

This case involved a shipment of chloroform which failed to conform to the test laid down in the United States Pharmacopoeia for substances decomposable by sulphuric acid.

On October 31, 1934, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 17 quarter-pound bottles of chloroform at Buffalo, N. Y., consigned by the J. T. Baker Chemical Co., Phillipsburg, N. J., alleging that the article had been shipped in interstate commerce on or about September 19, 1934, from Phillipsburg, N. J., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Chloroform USP."

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia, and its own standard was not stated upon the label.